

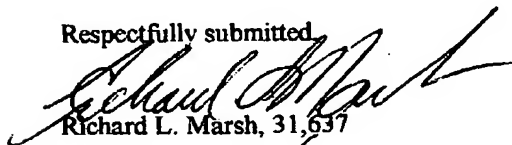
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FOCUS ON PATENTS, INC.
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Fax: 417-887-8441**TO: USPTO-Group Art Unit 3634****10/21/2005****ATTN: Examiner Gregory J. Strimbu****FAX # (571) 273-8300****Serial # 10/671,108****Filed 09/23/2003****Applicant: Jason E. Gayer****Docket 20317****MESSAGE: Dear Examiner Strimbu:**

Applicant greatly appreciates the Examiner's attempt on 30 September for telephonic election, however, the Agent of Record in this application was unavailable at the time. Therefore, please enter the following Election of Species of record in the above cited application. No formal drawings, fees or formal signatures are required and Applicant believes that this facsimile transmission is in compliance with the requirements set forth in 37CFR1.6 and 1.8 and as recorded on PTO/SB/21 Transmittal Form. Applicant respectfully requests allowance of the claims remaining in this application.

Respectfully submitted


Richard L. Marsh, 31,637
Agent of Record**# pages including this cover: 7****FROM: Richard L. Marsh****FAX # (417) 887-8441**

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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number 10/671,108

Filing Date 25 September 2003

First Named Inventor Jason E. Gayer

Art Unit 3634

Examiner Name Gregory J. Strimbu

Attorney Docket Number 20317

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ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application
☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application
Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify
below):

Fax Head

Remarks

This amendment is an Election of Species consonant with 35 U.S.C. 121.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

Printed name

RICHARD L. MARSH

Date

21 October 2005

Reg. No.

31,637

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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RICHARD L. MARSH

Date

21 October 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jason E. Gayer : Group Art Unit # 3634
Serial No. 10/671,108 : Examiner: Gregory J. Strimbu
Filed: September 25, 2003 : Date: October 21, 2005
:
For: MANWAY LIFT DEVICE, ADJUSTABLE :
BIASING ASSEMBLY THEREFOR AND :
METHODS OF MAKING THE SAME :

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

ELECTION OF SPECIES

Sir:

Responsive to the Official Action of 14 October 2005, kindly amend the above identified application as follows:

IN THE DESCRIPTION:

Applicant elects Group I: Claims 1-18 for prosecution in this application. Applicant hereby cancels claims 19 - 20 without prejudice to Applicant's rights to file divisional applications on non-elected Group II.

FEES:

Applicant has elected Group I: claims 1-18 for examination in this application and canceled Group II: claims 19 - 20. It is believed by Applicant that no additional fees are required, however, Applicant respectfully requests prompt notification in case missing fees are required in order correct such deficiency in a timely manner so that this amendment will be fully responsive on the effective date thereof.